

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 19828 of 2007(I)

PETITIONER:

HIDAYATHUL MUSLIMEEN SANGHAM,
TANALUR, MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.R.RAMADAS

RESPONDENTS:

1. THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,
OFFICE OF THE D.P.I., THIRUVANANTHAPURAM.
3. THE DISTRICT EDUCATIONAL OFFICER,
TIRUR.

BY GOVT. PLEADER SMT. M.R. SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1. COPY OF THE APPLICATION FOR RECOGNITION DT. 2.9.02 SUBMITTED BY THE PETITIONER BEFORE THE GOVT.
- EXT.P2. COPY OF THE RELEVANT PAGES OF THE NOTIFICATION NO. NSI – 81222/2002 DT. 27.6.03 ISSUED BY THE 2ND RESPONDENT
- EXT.P3. COPY OF THE RELEVANT PAGES OF THE NOTIFICATION NO. NS (1) 45875/02/D.P.I. DT. 29.10.03
- EXT.P4. COPY OF THE REPRESENTATION DT. 4.12.03 BEFORE THE 3RD RESPONDENT BY THE PETITIONER
- EXT.P5. COPY OF THE LETTER DT. 10.12.03 BY THE DEPUTY DIRECTOR OF EDUCATION, MALAPPURAM TO THE 2ND RESPONDENT
- EXT.P6. COPY OF THE ANOTHER REPRESENTATION DT. 10.5.07 BEFORE THE RESPONDENTS 1 AND 2.

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 19828 OF 2007

Dated this the 9th day of July, 2007

J U D G M E N T

Petitioner is the manager/secretary of an unaided educational institution. Petitioner's grievance is that the respondents are not taking any steps to correct the mistake in Ext.P3 final list of schools which were granted recognition. In the said list petitioner's school is referred to at Sl. No.56. Against the name of petitioner's school, it is noted that sanction for starting Lower Primary section has been accorded. According to the petitioner it is obviously a mistake. In fact recognition was sought for Upper Primary section and High School section and the order of the Government was also to that effect. But, while preparing the list a clerical mistake has crept in. Petitioner has submitted Ext.P6 representation in this regard requesting the Government to carry out necessary correction.

2. Learned counsel points out that the Deputy Director of Education Malappuram, had sent Ext.P5 communication in this regard to the Director of Public Instructions requesting to take appropriate steps to issue a revised list as far as the institution of the

petitioner is concerned after carrying out necessary correction.

3. The prayer in this writ petition is to issue an appropriate direction to respondent No.1 to take a decision on Ext.P6. Learned Government Pleader after getting instructions from the Director of Public Instructions submits that the matter has been placed before the Government and a decision is likely to be taken very soon.

In the above facts and circumstances, this writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P6, as expeditiously as possible, at any rate, within four weeks from the date of receipt of a copy of this judgment. Needless to mention that the petitioner shall be afforded sufficient opportunity to be heard before any decision is taken.

A.K. BASHEER, JUDGE

vps

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JUDGMENT

1ST MARCH, 2007